

EXHIBIT B

(Pleadings asserting causes of action, *e.g.*, petitions, counterclaims, cross-actions, third-party actions, interventions and all answers to such pleadings)

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1126175

Harris Constitutional County Court

Harris County, Texas

Sharnez Kavonn (Lipscomb) Hager
4833 Pinemont Drive # A
Houston, Texas 77092

Case:

Plaintiff/Petitioner

C.C.C.L. #1

Vs

JUDGE:

Chill's Bar & Grill
6820 LBJ Freeway
Dallas, Texas 75240-6515

and

Chill's Bar & Grill
24502 Southwest Freeway
Rosenberg, Texas 77471

Defendants

COMPLAINT FOR VIOLATIONS OF: TITLE II OF THE CIVIL RIGHTS ACT OF 1964

Plaintiffs Sharnez KaVonn (Lipscomb) Hager, 4833 Pinemont Drive, Houston, Texas 77092, allege the following:

I. NATURE OF THE ACTION

1. This is an action for relief from discrimination in violation of Title II of the Civil Rights Act of 1964.

2. I Sharnez KaVonn (Lipscomb) Hager, ("Plaintiff") allege that Chilli's Bar & Grill and John (or Jane) Does 1-3, all of whose true names are unknown ("Defendants"), unlawfully discriminated against heron the basis of skin color, and refused to give me the table but gave the table to a white man.

3. Plaintiff seek injunctive and declaratory relief, compensatory

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Chill's Bar & Grill 6820 LBS Freeway, Dallas, Texas
75240-6515. and Chilli's Bar & Grill
24502 Southwest Freeway, Rosenberg, Tx 77471.

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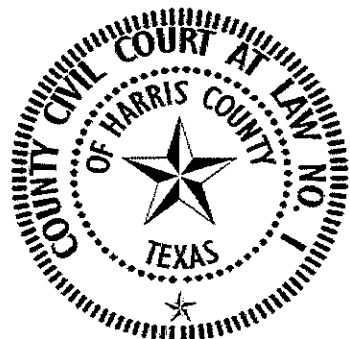
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Donna M. Hernandez



damages, punitive damages, and reasonable attorneys' fees and costs as remedies for Defendants' violations of their rights.

4. I the Plaintiff Sharnez KaVonn (Lipscomb) Hager is an African American customer of defendants. I had been a customer of the defendant's for at least 4 years at other locations, but never this location.

5. Upon information and research, Defendant Chilli's Bar & Grill is an American restaurant chain that offers Tex-Mex cuisine throughout the country. The restaurant chain have over 1,600 locations, and employs over 10,000 employees.

6. At all times relevant herein, Defendant Chilli's Bar & Grill had at least fifteen employees, and was therefore an "employer" within the meaning of Title II.

7. Defendants Chilli's Bar & Grill are liable for the acts of their agents and employees as set forth below.

8. I the Plaintiff believe and thereon allege that at all times relevant herein, each of the Defendant Does 1-3 were responsible in some manner for the occurrences and injuries alleged in this complaint. Their names and capacities are currently unknown to me the Plaintiff. I the Plaintiff will amend this Complaint to show such true names and capacities when the same have been ascertained.

II. EXHAUSTION OF ADMINISTRATIVE REMEDIES

9. I the Plaintiff timely filed charges of discrimination with the United States Equal Employment Opportunity Commission ("EEOC") on April 24, 2017.

10. Plaintiff have timely filed this action and have complied with all administrative prerequisites to bring this lawsuit.

III. FACTUAL ALLEGATIONS

On March 31, 2017, I the Plaintiff went to Chilli's Bar & Grill around 6:45 P.M. The Plaintiff asked the hostess for a table to sit seven people. The hostess took my

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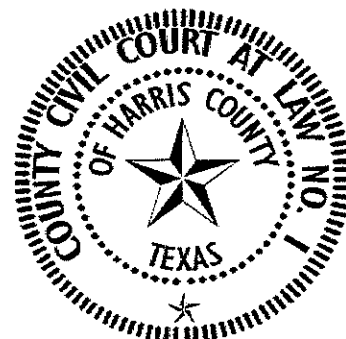


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name and number down. I asked the hostess how long was the wait? The hostess told me about 30 to 35 minutes. I told the hostess I would wait. As I was about to sit down I saw a table across the room that look like it would accommodate my group, it just needed to be cleaned off. I then asked the hostess could we have that table. She told me that the table was reserved. I said ok, but I did not know that you guys reserved tables. I then sat down as the rest of my party made their way into the restaurant. My fiancé was still in the car finishing his drink. About 30 minutes or more went by my fiancé came into the restaurant. He asked me why we do not have a table. I said because of the number in our party. He then went to the hostess and told her he need a table to sit a lot of people. He came back and said "Hun Hun I got us a table." I said, "How did you get a table that fast?" Then he showed me the table he had got at that time they were cleaning the table. What made me upset was that it was the same table that the hostess told me that was reserved. I was not going to say anything, because I did not want to make a scene; however well it was just bothering me so bad. So I went to the hostess and calmly asked her. "Can you please tell me how was this man able to get the table before me?" She kind of waved me off and said, "He is the one that reserved the table." I then said, "That man right there is the man that reserved the table?" She said, "Yes". I asked her again. "This white man right here is the person that reserved the table?" I pointed to my fiancé. She said, "Yes". I then said ma'am you are lying this white man happens to be my fiancé. She then looked like a deer staring in headlights. She said, "Ma'am I am so sorry." I said, "You, are right you are sorry a sorry excuse for a human being! Now tell me how this white man was able to get this table before me? The same table that you told me that was reserved because he did not reserve the table." She just keep saying she was sorry, but sorry was not good enough for me. I wanted an explanation of why. I then asked her, "What year are we in because if we are in 1920, 1940 I'll go back and sit down and wait and let you finish serving your white folks like you been doing all

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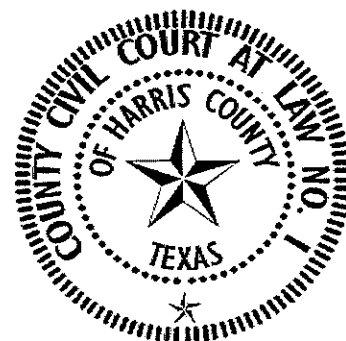
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night. Because that is the time niggers had to be treated this way. However I believe we are in 2017 when we all are equal. Now tell me besides the fact that his is white and mine is brown how he got that table?" She just keep saying she was sorry. I asked to speak to the manager. He came out and he did not make the situation any better. I told him I was just discriminated against. He said, "Ma'am I can't tell the hostess how to sit people down." I said you are right, but I just told you I was discriminated against. I told him about the case at Denny's. I informed him about the Civil Rights Act of 1964 Title II, and told him I will be contacting my civil attorney. He asked, "Do you want the table or not?" I said, "Yes, sure." We all sat down. We order drinks, but it took like 25 minutes for the drinks to even come out. By that time I got the text for Gringos that my table was ready. So we left plus no one wanted to eat at Chili's they were scared that they would do something to out drinks and food. That night I could not sleep. I just could not believe that had happened to me and so boldly. I called the corporate office that night but it was closed until that following Monday morning. I got up early Saturday morning started call that location to tell someone about the situation, but it was not open. I called that evening but someone kept hanging up in my face. So Sunday afternoon I called and talk to a female manager. She told me she would get a hold of the regional manager, Eric. He called me around 9pm that Sunday night. We talked, I told him what happened. He seemed very upset about the whole situation as far as I could tell over the phone. He said that he would investigate in a couple of days. I told him a couple of days I cannot wait for a couple of days. He then said, "If you cannot wait please call the corporate office." We hung up. I stayed up almost that whole night. Just thinking and thinking about the situation over and over and over again. The next morning I got up called the corporate office. Waited on long hung up and then someone asked and I told them what happened. About three to four hours later I received a call from the regional manager of Chilli's Robert Mason. He asked me what happened I told him

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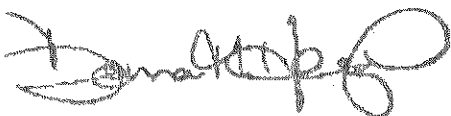
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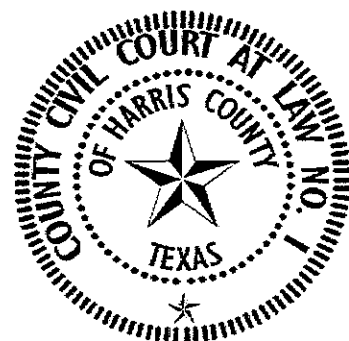


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everything that happened. He told me he had just landed and was on his way to the restaurant. He apologize and then he offered me to have dinner on them with 100.00 gift card. I then told him, "I do not need your 100.00 gift card. I went to your restaurant because I was able to afford it. I also told him 100.00 was an insult to me because that night at Gringos we spent over 300.00." He then told me I was taking it the wrong way. I told him was not taking it no way. I just do not appreciate going to a restaurant and being discriminated against. He assured me that he would take care of the problem, and that he would call me back after he assessed the situation. He called me back. Told me he fired seven people, I asked him what seven people? I had only came in contact with two people that night, the hostess and the manager. I was a little confused. He once again assured me that he took care of everything. We hung up and I had a sense of disbelief. So that Friday my fiancé and I went back to the restaurant just to see if the hostess was gone. Well to my disbelief she was still there. She saw my fiancé and me and gave the other hostess the menu and walked off and rolled her eyes at us. I asked the other hostess, "Why is she still here? I thought she was fired." The other hostess said she cannot talk about it. I immediately called Robert in the restaurant. I asked him why the hostess still working here. He said he felt as if it was the manager's fault. I said it was not the manager that discriminated against me it was the hostess. I also asked him who did he fire because if the hostess was still there then who was fired. I thought for sure she would be fired. He said he was not at liberty to tell me who was fired. Which I understood with privacy laws and things. I told him just hire everyone back then if you are going to keep the hostess. I told him to have his attorney to call me. We hung up. I was so upset and mad I could not believe what was happening.

I talked to the attorney who did not help the situation. He basically put everything on me, and making every excuse in the world to why this hostess give the white man the table and not me. Like I told the attorney. "How many times have she done this to

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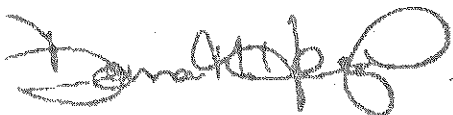
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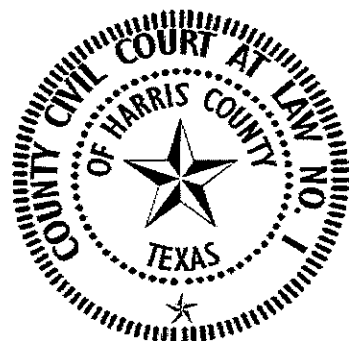


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African American people and they did not know it. I said I only know because I was with the white guy that happened to get the table that she said was reserved because she did not knowing we were together." Their attorney was getting frustrated with me because I was not allowing him to down play the situation. I was clearly discriminated against. I told the attorney, I have friends in every race and they all said the same thing I was clearly discriminated against. The attorney asked me if I could go back to the restaurant for the hostess who name I heard for the first time Emily to apologize. I agreed with conditions that it be a sincere apology. I also told the attorney if Emily wanted to apologize to me she had the opportunity that night I went back. However instead she decided to give the menus to another hostess and walk off and roll her eyes at me like I was trash. I told him, "She could have said when she saw me excuse me I notice you from last week and you were upset you thought I discriminated against you but I did not, and I want to personally apologize to you, but Emily did not do that. Now she want to apologize. I did go about two weeks later.

April 21, 2017, the apology. I get to the restaurant around 6:30 to 6:45pm. My fiancé was there already, because our relationship had taken a toll because of this situation we had broken up. They had pulled out all of the red carpet and opening doors everything. My whole thing was if you feel like your employee did not discriminate against me why go over and beyond. Everyone introduced themselves to me, they sat us all down. Thirty to forty minutes there they bring Emily out to apologize to me. She was twirling her fingers round and round. She said, "I would like to apologize for not treating you special." I said, "I did not need you to treat me special. He treats me special." Pointing up as to reference God. I said, "Now why are you apologizing to me?" Once again she said, "For not treating you special." I said, "No like I said I did not need you to treat me special. What I need was for you not to discriminate against me is that what you apologizing for?" She could not even said the word discriminate. She started to say she apologize for discriminating against me

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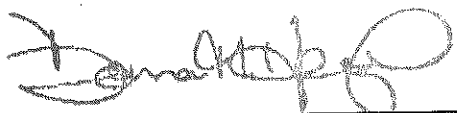
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then Robert started hitting her leg to be quiet. I then told her if she was truly sorry she would have apologize that night she saw me that was her opportunity, but you did not. Instead you decided to again treat me like crap because you still had your job. The big guys hurried her away from me. Eric the district manager sat down beside me and apologize he was almost in tears. I felt his sincere apologize but Emily was just all for show.

The next day the attorney call me to ask me how it went. I told him that was the worst apologize I ever received. I told him I want her fired and he said they could not guarantee that. I told him I will pick it their location. He asked me why I would want to do that. I said because I want justice. Plus I need them to hire everyone else back the Mexican manager, and whoever else they fired if they are going to keep the racist white girl. He then told me that the hostess was 16 years old, and do I really want to ruin her life. I said, "Yall ruin our 11 and 12 year old black boys life everyday. Do you really think I should care about your 16 year old white girl's life. After this she will still be able to get a job and be racist to the next person. He asked me what did I want I said justice. I want what is right. He told me to sue and here I am suing.

IV CLAIMS FOR RELIEF

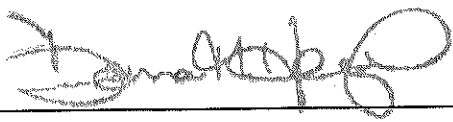
FIRST CLAIM FOR RELIEF

National Origin-Based Discrimination (Disparate Impact) in Violation of
Title II of the Civil Rights Act of 1964
prohibits discrimination because of race, color, religion, or national origin in
certain places of public accommodation, such as hotels, restaurants, and places of
entertainment.

DECLARATORY RELIEF ALLEGATIONS

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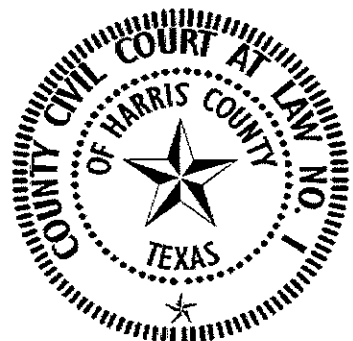
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under Title II of the Civil Rights Act of 1964 Plaintiffs are informed and believe and thereon allege that the Defendants deny these allegations. Declaratory relief is therefore necessary and appropriate.

INJUNCTIVE RELIEF ALLEGATIONS

No plain, adequate, or complete remedy at law is available to Plaintiffs to redress the wrongs addressed herein.

If this Court does not grant the injunctive relief sought herein, Plaintiffs will be irreparably harmed.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs pray for relief as follows:

For a declaration that Defendants' actions, policies, and practices as alleged herein are unlawful;

For reinstatement;

For compensatory damages for Plaintiffs' emotional pain and suffering, in an amount of 200,000.000;

For punitive damages in an amount to be determined at trial;

For liquidated damages;

For an order enjoining Defendants from engaging in the unlawful acts complained of herein;

For reasonable attorneys' fees and costs of suit pursuant to

For such other and further relief as this Court deems just and proper.

[Signature]
4833 Pinemont #A
Houston Tx 77092

(832) 423-8840

[Signature]
COUNTY CLERK
HARRIS COUNTY, TEXAS

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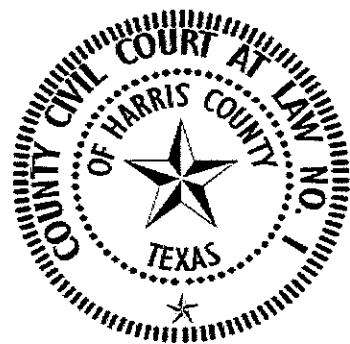
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